REMARKS

Review and reconsideration of the application in view of Applicants' amendments and remarks are respectfully requested. Applicants have amended Claims 1, 2, 5, 20, 22, 23, 26, 41, 43, 44, 47, 62, 64, and 65. Applicants have cancelled Claims 3, 4, 6-8, 18, 21, 24, 25, 27-29, 39, 45, 46, 48-50 and 60. Claims 1, 2, 5, 9-17, 19, 20, 22, 23, 26, 30-38, 40-44, 47, 51-59 and 61-65 remain in the present application.

The abstract of the disclosure has been objected to because it was not a single paragraph. Applicants have corrected this error.

The disclosure has been objected to for 1) failing to identify applications by their serial number, 2) the use of trademarks, and 3) incorrect recitations in claim 41 and 62. These have been corrected by various amendments to the specification.

Claims 1-65 have been rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Specifically, Claims 1, 2, 22, 23, 43, 44, 64, and 65 have been rejected for the phrase "the difference between the fluoroelastomer continuous phase and modulus of the discontinuous phase is sufficiently great". Applicants have amended this phrase to state "the difference between a logarithm of the modulus of the fluoroelastomer continuous phase and a logarithm of the modulus of the discontinuous phase is greater than 1.0". Support for these amendments are found in paragraph 0176 of the specification.

Claims 1, 2, 22, 23, 43, 44, 64, and 65 have been rejected for the phrase "the modulus of discontinuous phase is sufficiently low". Applicants have amended the claims to remove this phrase and replace it with "the modulus of the discontinuous phase is 8×10^6 Pa or less". Support for this amendment is found in paragraph 057.

Claims 20, 41 and 62 have been amended to properly define the fusing surface layer comprises at least about 30 parts per 100 parts by weight of the fluoroelastomer continuous phase.

Claims 1-5, 7-26, 28-47 and 49-65 have been rejected under 35 USC § 103(a) as being unpatentable over US 5,395,723 (Mahbadi) combined with

US 6,586,100 B1 (Pickering '100), as evidenced by Applicants' admissions in Examples 1-7 and in Table 2 of the instant specification. Applicants have amended Claims 1, 22, 42, and 64 to require that the toner have a viscosity of 100 Kpoise at the fusing process temperature. Support for this amendment is found in paragraph 0155 of the specification.

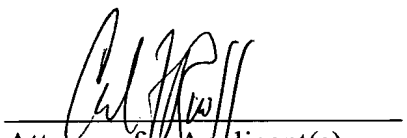
Mahabadi is concerned with producing low gloss by providing a toner with a large gel component, at least 20 % (col. 6, lines 56-67). The present invention provides a method of producing low gloss regardless of the toner used. In Mahabadi, all the Examples show toners having a melt viscosity of substantially less than 100 Kpoise at 100 °C. Applicants' invention requires a viscosity of the toner of at least 100 Kpoise at the fusing temperature. In paragraph 0197, the fusing temperature is defined as being from 120 to 200 °C. Thus, Applicants' claimed invention does not encompass the toners of Mahabadi. Further, it is noted that the Examiner has not rejected Claims 6, 27 or 48 which all require a viscosity of at least 100 Kpoise. Therefore, Applicants believe this rejection has been obviated.

Applicants have amended Claims 5, 26 and 47 to make them dependent from a non cancelled claim.

For at least the reasons set forth above, Applicants submit all of Claims 1, 2, 5, 9-17, 19, 20, 22, 23, 26, 30-38, 40-44, 47, 51-59 and 61-65 are in condition for allowance. Prompt and favorable action is respectfully requested.

Should the Examiner require anything further, or have any questions, the Examiner is asked to contact Applicants' undersigned representative.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.